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Entered on Docket

June 18, 2020

EDWARD J. EMMONS, CLERK
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA



Signed and Filed: June 18, 2020

DENNIS MONTALI
U.S. Bankruptcy Judge

15 **UNITED STATES BANKRUPTCY COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17 SAN FRANCISCO DIVISION**

18 In re:

19 **PG&E CORPORATION,**

20 **- and -**

21 **PACIFIC GAS AND ELECTRIC COMPANY,**

22 **Debtors.**

23 Affects PG&E Corporation
 Affects Pacific Gas and Electric Company
 Affects both Debtors

24 * *All papers shall be filed in the Lead Case,
25 No. 19-30088 (DM).*

26 Case No. 19-30088 (DM)
27 Chapter 11
28 (Lead Case)
(Jointly Administered)

**ORDER APPROVING
STIPULATION AND AGREEMENT
FOR ORDER BETWEEN
DEBTORS AND DWAYNE LITTLE
RESOLVING MOTION FOR
RELIEF FROM STAY, OR
ALTERNATIVELY, FOR
ABSTENTION**

Related to Dkt No. 7744-45, 8007

Resolving Hearing Set June 24, 2020 at
10:00 am

1 The Court having considered the *Stipulation and Agreement for Order Between Debtors*
2 and *Dwayne Little Resolving Motion for Relief from Stay, or Alternatively, for Abstention* (the
3 “**Stipulation**”),¹ entered into by PG&E Corporation (“**PG&E**”) and Pacific Gas and Electric
4 Company (the “**Utility**”, and together with PG&E, the “**Debtors**”), as debtors and debtors in
5 possession in the above captioned cases (the “**Chapter 11 Cases**”), on the one hand, and Dwayne
6 Little (“**Little**”), on the other hand, filed on June 18, 2020 [Dkt. No. 8007]; and pursuant to such
7 Stipulation and agreement of the Parties, and good cause appearing,

8 IT IS HEREBY ORDERED THAT:

9 1. The Stipulation is approved.
10 2. Effective as of the later of June 24, 2020 or the date of the entry of this Order
11 (the “**Stay Modification Date**”), the automatic stay shall be modified to permit Little to prosecute
12 the State Court Action through final judgment and any appeals thereof to liquidate his claims, but
13 not to permit enforcement of any such judgment, which Little shall recover solely through the claims
14 process in these Chapter 11 Cases.

15 3. The Debtors shall have at least thirty (30) days from the Stay Modification
16 Date to respond to the operative complaint in the State Court Action.

17 4. Neither Party shall be permitted to seek or be required to respond to any
18 discovery in the State Court Action, regardless of whether such discovery is already pending, for at
19 least sixty (60) days from the Stay Modification Date.

20 5. Little shall dismiss the Individual Defendants, with prejudice, from the State
21 Court Action within seven (7) days of the Stay Modification Date. Such dismissal shall not in any
22 way be construed as a release of, or to affect any alleged liability of, the Debtors. Debtors will
23 cooperate and use reasonable efforts to make the dismissed Individual Defendants available for their
24 depositions at mutually convenient dates and times.

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27 ¹ Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them
28 in the Stipulation.

1 6. The Debtors shall not seek to remove the State Court Action from the State
2 Court.

3 7. The Motion is deemed withdrawn and the Hearing is vacated.

4 8. The Stipulation is effective immediately, notwithstanding any contrary effect
5 of Federal Rule of Bankruptcy Procedure 4001(a)(3).

6 9. Except as provided in paragraphs 3 through 6 above, the Stipulation is without
7 prejudice to any aspect of the underlying State Court Action, and nothing therein shall be construed
8 to be a waiver by the Debtors or Little of any claims, defenses, or arguments with respect to the
9 same.

10 10. The Stipulation constitutes the entire agreement and understanding of the
11 Parties relating to the subject matter thereof and supersedes all prior agreements and understandings
12 relating to the subject matter thereof.

13 11. The Court shall retain jurisdiction to resolve any disputes or controversies
14 arising from the Stipulation or this Order.

15
16 Dated: June 18, 2020

17 DOWNEY BRAND LLP

18
19 /s/ Jamie P. Dreher

20 Jamie P. Dreher

21 *Attorneys for Dwayne Little*

22 *** END OF ORDER ***
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